

Notice of Allowability

Application No.

09/737,613

Examiner

Brian P Mruk

Applicant(s)

REYNOLDS, RAYVON E.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 15, 2004.
2. ☒ The allowed claim(s) is/are 1-14, 17, 21, 24-28, 30-32, 34, 36, 40, 41, 49, 52, 53, 55, 63, 66-76, 78-84 and 86-109.
3. ☒ The drawings filed on 13 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20040721.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Brian P. Mruk
Brian P Mruk
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David D'Ascenzo on July 21, 2004.

2. The application has been amended as follows:

IN THE CLAIMS:

Claim 69. In line 11, **before** "garment", **delete** "dry"

Claim 95. In line 2, **before** "garment", **delete** "dry"

3. The following is an examiner's statement of reasons for allowance:

Smith et al, U.S. Patent No. 5,658,651, discloses a fabric treatment composition for treating wet fabric articles comprising 2.5-25% by weight of a fabric softening agent (see col. 4, lines 48-59), 2-5% by weight of a surfactant system, including both anionic and nonionic surfactants (see col. 7, line 17-col. 8, line 36), 10-20% by weight of a dispersing agent (see col. 8, line 37-col. 9, line 23), 2-75% by weight of an organic solvent, such as a glycol or an isoparaffin (see col. 9, lines 24-60), a minor amount of a

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perfume (see col. 10, lines 5-14), and 15-25% by weight of water (see col. 9, lines 61-66). It is further taught by Smith et al that the fabric treatment composition is contained in an absorbent sheet (see col. 2, lines 24-45 and col. 10, lines 15-34), and that the clothes are cleaned with the absorbent sheet containing the composition in a heat resistant bag that contains venting holes in a home dryer (see col. 2, line 24-col. 3, line 16 and col. 12, lines 27-65). However, patentee differs from applicant in that Smith et al requires that the composition is used to treat wet fabrics (see col. 2, lines 24-27), whereas the instant claims are limited to compositions that are used to clean and treat fabrics that are dried. Therefore, the examiner makes of record that the terms "dry cleaning article" and "dry cleaning composition" in the instant claims are construed to mean articles and compositions for treating only dry fabrics (i.e. not wet or moist).

Accordingly, the claims viewed as a whole would not have been obvious to one of ordinary skill in the art at the time of the invention after viewing the prior art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Mruk whose telephone number is (571) 272-1321. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

BPM

Brian Mruk
July 21, 2004

Brian P. Mruk

Brian P. Mruk
Primary Examiner
Tech Center 1700